

Mar. 11. 2003 11:19AM FRISHAUF & PARTNERS

No. 3947 P. 1/2
From: HOLTZ

Attorney Docket No. 01405/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Hironori UTSUGI

Serial No. : 09/901,548

Filed : July 29, 2001

For : MICROSCOPE FOCUSING
APPARATUS

Art Unit : 2872

Examiner : T. Q. Nguyen

RESPONSE 37 C.F.R. 1.111

FAX RECEIVED

Commissioner for Patents
Washington, D.C. 20231

MAR 11 2003

S I R :

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This is responsive to the Office Action mailed February 14,
2003, the term for response to which expires on March 14, 2003.

ELECTION:

Applicant hereby elects Species A, Fig. 5, for further
prosecution on the merits, without traverse.

The claims readable on Species A are claims 1, 3 and 13. Of
these claims, claims 1 and 13 are generic.

As indicated by the Examiner, it is also respectfully
requested that claims 2, 4, 6, 10-12 and 14 be examined along
with generic claims 1 and 13, and claim 3 (which is directed to
elected Species A).

The above election is made without traverse.

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charge the extension fee to
Account No. 06-1378.


S. Deanne Franklin

Mar. 11. 2003 11:19AM FRISHAUF & PARTNERS

No. 3947 P. 2/2
From:HOLTZ

It is respectfully submitted that this paper is fully responsive to the Office Action mailed February 14, 2003, and it is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

Leonard Holtz, Esq.
Reg. No. 22,974

Dated: March 11, 2003

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